

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SHAWN WOODWARD (00-aa-6563),

Plaintiff,

v.

ORDER  
08-CV-463A

CORRECTIONAL OFFICER MULLAH, et al.,

Defendants.

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The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy , pursuant to 28 U.S.C. § 636(b)(1)(B). On November 4, 2009, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that defendant Norman Bezio's motion for dismissal be granted and that defendants' motion to stay discovery be denied as moot.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendant Norman Bezio's motion for dismissal is granted and defendants' motion to stay discovery is denied as moot.

The case is referred back to Magistrate Judge McCarthy for further proceedings.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: December 7, 2009